

SENATE CHAMBER,
AUSTIN, TEXAS, Tuesday, January 24, 1871. }

Senate met pursuant to adjournment; Hon. Don Campbell, President, in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Senator Ruby, Chairman of Committee on Engrossed Bills, made the following report:

COMMITTEE ROOM,
AUSTIN, January 24, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate joint resolution No. 2, "authorizing members of the Legislature, to withdraw from office of Secretary of State, enrolled bills, which failed to become laws at the last session of the Legislature," and Senate joint resolution No. 3, authorizing Adjutant General Davidson to procure a suitable building in the city for his department, find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

Message from the Governor by his Private Secretary:

EXECUTIVE OFFICE,
AUSTIN, January 23, 1871.

To the honorable Senate, State of Texas:

GENTLEMEN: I would most respectfully ask the advice and consent of your honorable body to the following appointments, viz:

F. C. Taylor, Notary Public at Fort Concho, in Bexar District.

A. D. Harn, Notary Public for Grimes county.

Respectfully,

E. J. DAVIS,
Governor.

EXECUTIVE DEPARTMENT,
AUSTIN, January 23, 1871.

To the honorable Senate, State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointment, to-wit:

F. P. Wood, Judge of the District Court for the Thirty-fifth District.

Respectfully,

E. J. DAVIS,
Governor.

EXECUTIVE DEPARTMENT,
AUSTIN, January 23, 1871.

To the honorable Senate, State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointment, to-wit:

J. H. Banton, Judge of the District Court for the Eighteenth District.

Respectfully,

E. J. DAVIS,
Governor.

Read and referred to Committee on Nominations.

BILLS AND RESOLUTIONS.

By Senator Baker: "An act (Senate bill No. 24) to amend the fourth section of an act entitled an act to organize the courts of justices' of the peace and county courts, and to define their jurisdiction and duties."

Read first time and referred to Committee on Judiciary.

By Senator Evans: "An act (Senate bill No. 25) supplementary to and amendatory of an act to incorporate the Dallas Wire Suspension Bridge Company, approved July 27, 1870."

Read first time and referred to Committee on Roads and Bridges.

By Senator Ruby: "An act (Senate bill No. 26) to enable the Supreme Court to appoint a Bailiff, defining his duties and fixing his salary."

Read first time and referred to Committee on Judiciary.

Also, "An act (Senate bill No. 28) to provide for the employment of private clerks by the judges of the Supreme Court."

Read first time and referred to Committee on Judiciary.

Also, "An act (Senate bill No. 27) amending section two of an act entitled an act for the assessment and collection of taxes, approved August 15, A. D. 1870."

Read first time and referred to Committee on Finance.

Also, "An act (Senate bill No. 29) to incorporate the Texas Cotton Spinning and Manufacturing Company."

Read first time and referred to Committee on State Affairs.

By Senator Pridgen: (Senate bill No. 30) "An act to incorporate the city of Rockport."

Read first time and referred to Committee on State Affairs.

By Senator Campbell: "An act (Senate bill No. 31) to incorporate the Douglassville College."

Also, "An act (Senate bill No. 32) to prohibit the sale or otherwise disposing of spirituous or vinous liquors within two miles of Douglassville College, in Davis county, Texas."

Bills read first time and referred to Committee on Education.

Also, "An act (Senate bill No. 33) to incorporate the Jefferson Insurance Company."

Read first time and referred to Committee on Judiciary.

By Senator Hall: "An act (Senate bill No. 34) regulating the appointment and tenure of office of employes in the different executive departments."

Read first time and referred to Committee on Judiciary.

Senator Ruby offered the following resolution:

Resolved, That the late Sergeant-at-Arms, Captain A. Faulkner, be allowed pay for thirty days' services before the meeting of this session of the Legislature, as contemplated in the following resolution of last session:

"*Resolved*, That the Sergeant-at-Arms be authorized and directed to remain in the city of Austin ten days after the adjournment of the Legislature, to superintend the arrangement of the furniture for safe-keeping during the vacation, and to return thirty days before the meeting of the next session of the Legislature, to place the Senate Chamber and committee rooms in order for the use of the Senate;" and that the Secretary be instructed to draw a warrant on the Comptroller for the same.

Resolution adopted.

Senator Gaines offered the following resolution:

Be it resolved by the Senate, That the Chairman of the Committee on Contingent Expenses be, and he is hereby instructed not to sign or approve any bill or accounts for any papers, but the Austin STATE JOURNAL and five copies of the German paper.

Senator Mills moved to refer the resolution to the Committee on Contingent Expenses.

Senator Ruby moved to amend, by instructing the committee to report to-morrow.

Senator Gaines moved to lay the motions on the table.

Lost.

Question recurring on the amendment of Senator Ruby, the amendment was lost.

The question recurring on the motion to refer, it was adopted.

Senator Ruby offered the following resolution:

Resolved, That the Sergeant-at-Arms, by and with the consent

of the Committee on Contingent Expenses, be, and he is hereby authorized to restore to this Senate any furniture belonging thereto that may have been removed, and also to provide suitable curtains, outside shutters or blinds for the windows, and such material to be placed around the railing of the gallery, as will aid in checking the reverberation in the Senate.

Adopted.

GENERAL FILE.

House joint resolution No. 1 providing for the election of United States Senator on the second Tuesday after the organization of this Legislature.

Read third time and passed by the following vote :

Yeas—Mr. President, Baker, Bell, Evans, Ford, Fountain, Gaines, Hall, Hildebrandt, Parsons, Pettit, Rawson, Ruby, Tendick—14.

Nays—Bowers, Broughton, Cole, Dillard, Dohoney, Flanagan, Latimer, Mills, Pickett, Pridgen, Pyle, Shannon—12.

Secretary carried the same to the House of Representatives.

House joint resolution No. 7, authorizing the Adjutant General of the State to procure a suitable building in this city for the use of his department, and to remove the powder and explosive ammunition from the basement of the Capitol,

Read first time ; rules suspended, read second and third times and passed.

Secretary carried the same to the House of Representatives.

Senator Saylor, Chairman of the Committee on Retrenchment and Reform, made the following report :

COMMITTEE ROOM,
AUSTIN, January 24, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Retrenchment and Reform, to whom was referred the report of the Committee on Public Buildings, referring to committee rooms, would respectfully beg leave to submit the following report as the result of their labors :

The basement of the Capitol contains some dozen rooms.

Nos. 1 and 3 are occupied by the Governor.

Nos. 2 and 4 are occupied by the Secretary of State.

No. 5 is occupied by the Adjutant General.

No. 6 is occupied by the Attorney General.

No. 7 contains the records of the Supreme Court.

No. 8 is labelled "Committee room Contingent Expenses and Public Buildings, John S. Mills, Chairman."

No. 9 is occupied by the House Committee on Privileges and Elections.

No. 10 is at present occupied by the library of the Supreme Court.

No. 11 is at present occupied by the Enrolling and Engrossing Clerks.

No. 12 is at present occupied by Mr. Speaker Evans.

The Committee Rooms of the second story are all occupied by the Supreme Court.

The Geological Room of the third story is occupied by Engineer John W. Glenn. Your Committee would recommend that the records of the Supreme Court be removed to this room from No. 7 of the basement; also, that the Enrolling and Engrossing Clerks be removed to the same room from No. 11 of the basement.

Your Committee made application to the Land Office, and were informed by Gen. Kuechler that only two rooms there were unoccupied, and these were temporarily occupied by the Supreme Court.

In the building occupied by the Comptroller and Treasurer, we were unable to find any rooms unoccupied.

The Sergeant-at-Arms reports that he has the refusal of some seven rooms in the city, viz:

Three rooms in second story, south-east corner of the Avenue and Pecan street, each furnished with stove and table; rent \$16½ per month.

Two rooms can be procured on north-east corner of the Avenue and Bois d'Arc street, without furniture or heating apparatus; rent \$15 per month.

Two other rooms on south-east corner of the Avenue and Ash street can be procured at the rate of \$25 per month.

The foregoing are all the rooms that the Sergeant-at-Arms has been able to find, which will answer the purpose of committee rooms.

RECAPITULATION.

In the Capitol, room No. 8 is vacant but labelled. Nos. 7 and 11 prospectively vacant.

In the Land Office, two rooms prospectively vacant.

In the city, the seven rooms above discribed, for rent.

Total—no room vacant, four prospectively vacant, and seven others located in the city, and tendered as above.

The Senate is resolved into some twenty-eight committees. The House has, perhaps, the same number. Some of these committees

will meet but seldom, others will meet occasionally, one-half, or at least one-third, will meet often. It is inconvenient to meet in the Senate Chamber, where all deliberations would be public. It would be impracticable and a waste of time, for each committee to await its turn to occupy a room.

Your Committee would further state that the facts set forth in the report of the Committee upon Public Buildings are, in the main, substantially true. In this Capitol there is a deficiency of committee rooms. Other Legislatures have recorded a similar complaint, and your Committee would beg leave merely to recite the above facts elicited by the investigations, but would acknowledge themselves wholly unable, for want of time and proper accommodations for conference, to suggest any line of policy in the premises. Your Committee, therefore, indulge the hope that this, their report, will be received, and your Committee be discharged from further consideration of the subject.

Very respectfully,

W. A. SAYLOR,
Chairman.

Report read and received.

Message from the House, by Chief Clerk, transmitting House joint resolution No. 5, authorizing the Engrossing and Enrolling Clerks of this Legislature to occupy the State Library for the performance of their clerical duties.

Senator Bowers offered the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to recover, for the use of the committees of this body and the House of Representatives, all the rooms in the basement of the Capitol building, except those now in use by the Executive and State Departments, and the Attorney General.

Adopted.

On motion of Senator Flanagan, the Senate took a recess till 11:55 A. M.

The Senate, at 11:55 A. M., re-assembled.

12 M.

The hour having arrived for the voting for a United States Senator for the term commencing March 4, 1871, and ending March 4, 1877, the President announced nominations in order.

Senator Baker nominated General J. J. Reynolds.

Senator Broughton nominated Hon. E. B. Pickett.

Those voting for General J. J. Reynolds were—

Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hilde-

brandt, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Saylor, Tendick—16.

Those voting for Hon. E. B. Pickett were—

Bowers, Broughton, Cole, Dillard, Dohoney, Evans, Pyle, Shannon—8.

For Judge Schutze, Senator Flanagan.

For Charles DeMoss, Senator Latimer.

For J. W. Throckmorton, Senator Pickett.

General J. J. Reynolds having received a majority of the votes was declared the choice of the Senate for United States Senator for the term commencing March 4, 1871, and ending March 4, 1877.

On motion of Senator Baker, the Senate adjourned to 11 o'clock, A. M., to-morrow.
